

REMARKS

Claims 1, 3, 5, and 14 have been amended. Claims 1-20 remain in the application.

Claims 1, 2, 5-13, 16, and 19 were rejected under 35 U.S.C. 112, first paragraph. This rejection is traversed in view of the amendments above.

In particular, Claim 1 has been amended to include the words “a dry method”. The “dry method” is a technical term well recognized in the art and discussed in the patent application (see page 1, line 11; page 2, line 24) meaning that fibers are supplied in a stream of air. See WO 92/04169 to Ljungbo, cited in the office action, in the title “..production of fibre bodies according to the dry method” where it is explained that fibers are dispersed in an air stream. The office action of June 12, 2008, also recognized this at page 3.

In addition, “fiber mat” has been changed in several claims to “a fibrous non-woven” as is set forth in the patent application at page 10, line 25. As explained previously, the German term “Faservlies” can be translated as “fiber mat” or fibrous non-woven.

Claims 1-10 and 13-19 were rejected as being obvious over Ljungbo in view of DE 1127270 to Gath and U.S. Patent Publication 2002/0100996 to Moyes. Claims 11, 12 and 20 were rejected as being obvious over Ljungbo, Gath, Moyes and DE 19500653 to Nurnberger. These rejections are traversed.

Independent claims 1 and 3 are method claims which recite a number of steps not found in any of the references. Some of the advantages of adding the water glass or inorganic materials during the defibering process or into a transport element of a defibering apparatus (claim 1) include: avoiding the requirement of a mixing step; distribution of the inorganic material onto the fibrous nonwoven is significantly improved; and there is a significant reduction in the amount of inorganic materials necessary to get the same or better homogeneity.

To highlight the process steps, claims 1 and 3 have been amended to include the word “then” before the compression step. The claims remain of a similar scope to those which received a grant in the European Patent Office.

In Ljungbo, water glass is added in the diffuser (example 1) or in a mixer (example 2), but not during a cooking process or during transportation to a refiner.

According to Ljungbo, the water glass is added always to the fibers but not to the chips, i.e., not before defibering the chips. Gath is not a dry method process and does not describe when to add water glass. Similarly, Moyes and Nurnberger do not make up for this deficiency of Ljungbo.

Ljungbo is silent about the mixing temperature at which water glass (i.e., inorganic materials) is added to the fiber materials. The suggestion that temperatures described in Gath could be used is not meritorious since Ljungbo is directed to "the dry method" (see title) and Gath is directed to a wet method. Moyes and Nurnberger do not make up for these deficiencies of Ljungbo.

Ljungbo and Gath do not show the compression conditions specified in claims 1 and 3. Moyes cannot make up for this deficiency as Moyes does not show the use of a dry method (claim 1) or water vapor atmosphere (claim 3), or the use of the curing temperature specified in the claims.

Similarly, Nurnberger, which has been relied upon as showing the use of carbon dioxide to harden materials, does not show or suggest the temperature range of claim 1, the curing at 80°C specified in claims 1 and 3, the use of an air stream or a water vapor atmosphere as specified in claims 1 and 3, or having at least a part of the water glass fed directly into a cooking process disintegrating the fibrous materials or into a transport element of the refiner which defibers chips for the production of fibrous materials

In view of the foregoing, it is respectfully requested that the application be reconsidered, that claims 1-20 be allowed, and that the application be passed to issue.

Should the Examiner find the application to be other than in condition for allowance, the Examiner is requested to contact the undersigned at the local telephone number listed below to discuss any other changes deemed necessary in a telephonic or personal interview.

A provisional petition is hereby made for any extension of time necessary for the continued pendency during the life of this application. Please charge any fees for such provisional petition and any deficiencies in fees and credit any overpayment of fees to Attorney's Deposit Account No. 50-2041.

Respectfully submitted,



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